

(i) Activities necessitated by a DoD employee's law enforcement duties;

(ii) Activities by organizations composed primarily of DoD employees or their dependents for the benefit of welfare funds for their own members or for the benefit of other DoD employees or their dependents, subject to the limitations of local law and of § 84.9(k) and (l), when approved by the Head of the DoD Component or designee;

(iii) Private wagers among DoD employees if based on a personal relationship and transacted entirely within assigned Federal Government living quarters and within the limitations of local laws [end of General Order; or

(iv) Purchases of lottery tickets authorized by any State from blind vendors licensed to operate vending facilities in accordance with 20 U.S.C. 107a(5).

(2) Gambling with a subordinate may be a violation of Articles 133 and 134 of the Uniform Code of Military Justice (UCMJ) (10 U.S.C. 801-940).

(3) Gambling may be prohibited by Federal Government building and grounds regulations, such as 32 CFR part 40b which prohibits gambling in the Pentagon.

(d) *Outside employment and activity.* In addition to 5 CFR 3601.107 except to the extent that when procedures have been established by higher authority for any class of DoD employees (e.g., DoD Directive 6025.7⁴), agency designees may require DoD employees under their jurisdiction to report any outside employment or activity prior to engaging in the employment or activity. See § 84.10(g).

(1) The commander, head of the organization, or supervisor may prohibit the employment or activity if he believes that the proposed outside activity will detract from readiness or pose a security risk.

(2) If action is not taken to prohibit the employment or activity, the DoD employee is free to engage in the employment or activity in keeping with other restrictions of this part.

(e) *Use of military title by retirees or reserves.* Retired military members and

members of reserve components, not on active duty, may use military titles in connection with commercial enterprises, provided they clearly indicate their retired or inactive reserve status. However, any use of military titles is prohibited if it in any way casts discredit on DoD or gives the appearance of sponsorship, sanction, endorsement, or approval by DoD. In addition, in overseas areas, commanders may further restrict the use of titles by retired military members and members of reserve components.

[59 FR 13214, Mar. 21, 1994, as amended at 60 FR 20029, Apr. 24, 1995]

Subpart C—Activities With Non-Federal Entities

§ 84.8 Office of Government Ethics regulation.

See 5 CFR part 2636, "Limitations on Outside Employment and Prohibition of Honoraria; Confidential Reporting of Payments of Charities in Lieu of Honoraria."

§ 84.9 Official participation in non-Federal entities.

(a) *Attendance.* (1) Agency designees may permit their DoD employees to attend meetings, conferences, seminars or similar events sponsored by non-Federal entities in their official DoD capacities at Federal Government expense if there is a legitimate Federal Government purpose in accordance with 5 U.S.C. 4101 *et seq.* and 37 U.S.C. 412, such as training a DoD employee beyond maintaining professional credentials or gathering information of value to the DoD.

(2) DoD employees are prohibited from attending events in their official DoD capacities at Federal Government expense in order to acquire or maintain professional credentials that are a minimum requirement to hold the DoD position. See 5 U.S.C. 5946 and 31 U.S.C. 1345.

(b) *Membership.* DoD employees may serve as DoD liaisons to non-Federal entities when appointed by the head of the DoD Component command or organization who determines there is a significant and continuing DoD interest to be served by such representation. Liaisons serve as part of their official

⁴Copies may be obtained, at cost, from the National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161.